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February 4, 2022

**VIA ECF & E-MAIL**

Honorable John P. Cronan  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 12D  
New York, New York 10007

Re: Michelle Adams v. Equinox Holdings, Inc. et al.  
Docket No. 1:19-cv-08461 (JPC)

Dear Judge Cronan:

We represent defendants Equinox Holdings, Inc., Joseph Matarazzo, Matthew Herbert, and Wil Diaz (collectively, “Equinox”) and write to respectfully request leave to depose non-party witness Nancy Johnson—whose contact information was just provided by plaintiff this morning—following the expiration of the fact discovery deadline on February 7, 2022.

Our firm has already prepared a subpoena for immediate service on Ms. Johnson. However, in order to provide Ms. Johnson with reasonable notice under Rule 45, the deposition must be scheduled after the expiration of the fact discovery deadline on Monday, February 7<sup>th</sup>.<sup>1</sup>

As such, it is respectfully requested that Equinox be granted leave to conduct this deposition after the expiration of the fact discovery deadline. Plaintiff consents to this request. There have been prior requests for this relief.

This request is granted. The Court grants Equinox leave to depose Ms. Johnson after the expiration of the fact discovery deadline.

SO ORDERED.  
Date: February 7, 2022  
New York, New York

  
JOHN P. CRONAN  
United States District Judge

Respectfully submitted,

/s/ Jared E. Blumetti

Jared E. Blumetti

cc: Fred Lichtmacher, Esq. (via ECF)

<sup>1</sup> Plaintiff, who was asked to provide the names and contact information of witnesses nearly 2 years ago, has proceeded to disclose the contact information of 5 non-party witnesses over the past 2.5 months, including 2 in the past 13 days. Equinox has already successfully subpoenaed and deposed all of those witnesses with the exception of Ms. Johnson.